

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA
v.
JOSEPH ANTHONY AMARI

Hon. Katharine S. Hayden, U.S.D.J.
Crim. No. 09-879 (KSH)
ORDER FOR CONTINUANCE

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (John E. Clabby, Assistant U.S. Attorney, appearing), and defendant Joseph Anthony Amari (Chester M. Keller, First Assistant Federal Public Defender, appearing), for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), the defendant having consented to such a continuance, and the parties having requested seven prior continuances, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Defendant is facing charges in a separate criminal matter in New Jersey Superior Court, Bergen County. Trial in that matter was expected to commence on October 26, 2010, but was continued in part to give the parties in that case the opportunity to negotiate a plea agreement, and a plea offer is outstanding in that case. A status conference in that case is set for January 31, 2011, at which time it is expected that either the defendant will agree to the plea offer or the Superior Court will set a final March or April trial date.

(2) The outcome of the Superior Court matter could impact the potential penalties the defendant faces in this federal matter.

(3) The United States and the defendant agree that the outcome of the Superior Court matter is likely to impact the parties' negotiations of a plea agreement in this federal matter.

(4) Defendant has consented to the aforementioned continuance.

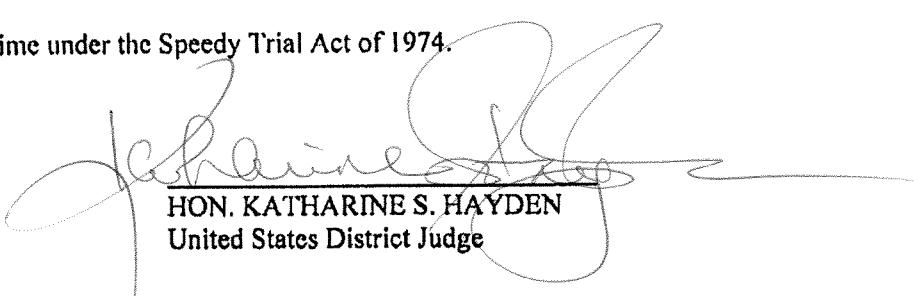
(5) The grant of a continuance will likely conserve judicial resources.

(6) As a result of the foregoing, pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore, on this 25 day of January, 2011,

ORDERED that this action be, and hereby is, continued until February 28, 2011; and it is further

ORDERED that the period from January 25, 2011, through February 28, 2011, shall be excludable in computing time under the Speedy Trial Act of 1974.


HON. KATHARINE S. HAYDEN
United States District Judge

Form and entry consented to:

John E. Clabby
John E. Clabby
Assistant U.S. Attorney

Chester M. Keller
Chester M. Keller
Counsel for defendant Joseph Anthony Amari